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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,886	10/23/2003	Timothy P. McKee	MFCP.108799	8989
45809	7590	03/09/2006	EXAMINER	
SHOOK, HARDY & BACON L.L.P. (c/o MICROSOFT CORPORATION) 2555 GRAND BOULEVARD KANSAS CITY, MO 64108-2613			STACE, BRENT S	
			ART UNIT	PAPER NUMBER
			2161	

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/691,886	MCKEE ET AL.	
	Examiner	Art Unit	
	Brent S. Stace	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☒ Claim(s) 9, 16 and 35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20060303</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. Claims 1-41 have been examined. Claims 1-41 have been rejected. This document is the first Office action on the merits.

Prior Art

2. The examiner would like to note that the prior art of record and used in the rejections below, MacOSXHints (<http://www.macosxhints.com/article.php?story=20030305025744788>) and MacOSXHints2 (<http://www.macosxhints.com/article.php?story=20030409015020645>), were published less than a year prior to the filing date of the present application making them prior art under 35 USC § 102(a). However, these references refer solely to an operating system's behavior where the operating system's release date is a 35 USC § 102(b) date.

Information Disclosure Statement

3. The information disclosure statement is being considered by the examiner.

Specification

4. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is

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requested in correcting any errors of which applicant may become aware in the specification.

Drawings

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Fig. 2B, detail 218. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

6. Since the lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors, Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the drawings. For example, the drawings should be carefully checked to ensure that all reference numerals are described in the specification, that no one reference numeral describes two separate drawing elements, or that the specification contains no reference to numerals not in the drawings.

Claim Objections

7. Claims 9, 16, and 35 are objected to because of the following informalities:
- a. Claims 9 and 16 recites what appears to be an attempt at claiming a Markush group. If this is a Markush group claimed, the claim must follow the correct format for a Markush group.
 - b. Claim 35 recites "an items" in line 2. This is a grammatical error because the article "an" does not agree with the noun "items."
- Appropriate correction is required.

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claim 41 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims lack a concrete, useful, and tangible result. Specifically, Claim 41 recites "A Shell...." This claim contains functional descriptive material, which is a program per se.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

11. Claims 1-18, 30-35, and 41 are rejected under 35 U.S.C. 102(a) as being anticipated by MacOSXHints

(<http://www.macosxhints.com/article.php?story=20030305025744788>).

12. **Claim 1** can be mapped to MacOSXHints as follows: "A computer system for presenting a plurality of items of multiple types to a user, [MacOSXHints, page 1, paragraph 3] the system comprising:

- a universal data store containing said plurality of items stored in accordance with a universal data schema [MacOSXHints, page 1, paragraph 3 with MacOSXHints, page 2, paragraphs 6 and 8] and containing metadata corresponding to at least a portion of the items, wherein the metadata is stored in accordance with an item decoration schema; [MacOSXHints, page 2, paragraphs 6 and 8] and
- a shell for presenting said plurality of items in the universal data store to a user, [MacOSXHints, page 1, paragraph 1] wherein the shell is configured to present the portion of items with said corresponding metadata to the user with an item decoration view [MacOSXHints, page 2, paragraph 8 with MacOSXHints, pages 2-3, paragraphs 10 and 12] and further configured to present the items without said corresponding metadata to the user in accordance with a default display view" [MacOSXHints, page 2, paragraph 8 with MacOSXHints, pages 2-3, paragraphs 10 and 12].

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13. **Claim 2** can be mapped to MacOSXHints as follows: "The computer system of Claim 1, wherein said universal data schema includes one or more declared properties" [MacOSXHints, page 2, paragraphs 6 and 8].

14. **Claim 3** can be mapped to MacOSXHints as follows: "The computer system of Claim 2, wherein each of said plurality of items includes declarations associated with said one or more declared properties" [MacOSXHints, page 2, paragraphs 6 and 8].

15. **Claim 4** can be mapped to MacOSXHints as follows: "The computer system of Claim 2, wherein said shell utilizes said one or more declared properties to present the items without said corresponding metadata in accordance with said default display view" [MacOSXHints, page 2, paragraph 8 with MacOSXHints, pages 2-3, paragraphs 10 and 12].

16. **Claim 5** can be mapped to MacOSXHints as follows: "The computer system of Claim 1, wherein said metadata includes item decoration data" [MacOSXHints, page 2, paragraphs 6 and 8].

17. **Claim 6** can be mapped to MacOSXHints as follows: "The computer system of Claim 5, wherein said item decoration data identifies a subset of said metadata containing high value data" [MacOSXHints, page 2, paragraphs 6 and 8 with MacOSXHints, pages 2-3, paragraphs 10-12].

18. **Claim 7** can be mapped to MacOSXHints as follows: "The computer system of Claim 6, wherein said high value data is associated with information to be displayed to a user" [MacOSXHints, page 2, paragraphs 6 and 8 with MacOSXHints, pages 2-3, paragraphs 10-12].

19. **Claim 8** can be mapped to MacOSXHints as follows: "The computer system of Claim 5, wherein said item decoration data includes data indicating a format aspect associated with presentment of said metadata to a user" [MacOSXHints, page 2, paragraphs 6 and 8].

20. **Claim 9** can be mapped to MacOSXHints as follows: "The computer system of Claim 8, wherein said format aspect is selected from a list including: data formatting, sort order, icon formatting, and associated controls" [MacOSXHints, page 2, paragraphs 6 and 8].

21. **Claim 10** can be mapped to MacOSXHints as follows: "The computer system of Claim 8, wherein said format aspect includes one or more verbs, said verbs being associated with operations to be performed on selected items" [MacOSXHints, page 2, paragraph 6 with MacOSXHints page 3, paragraphs 12-14].

22. **Claim 11** can be mapped to MacOSXHints as follows: "The computer system of Claim 10, wherein said operations are performed by one or more applications launched to perform said verbs with respect to said selected items" [MacOSXHints, page 2, paragraphs 6 and 8 with MacOSXHints page 3, paragraphs 12-14].

23. **Claim 12** can be mapped to MacOSXHints as follows: "The computer system of Claim 1, wherein said shell is further configured to present a set of items selected from said plurality of items according to a shell decoration view" [MacOSXHints, page 1, paragraph 1 with MacOSXHints, page 2, paragraphs 6 and 8].

24. **Claim 13** can be mapped to MacOSXHints as follows: "The computer system of Claim 12, wherein said set of items includes one or more items having metadata stored

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in accordance with a first item decoration schema and further includes one or more items having metadata stored in accordance with a second item decoration schema” [MacOSXHints, pages 2-3, paragraphs 6, 8, and 10-14].

25. **Claim 14** can be mapped to MacOSXHints as follows: “The computer system of Claim 12, wherein said shell decoration view includes one or more display aspects appropriate for displaying each of said set of items to a user” [MacOSXHints, page 2, paragraphs 6 and 8].

26. **Claim 15** can be mapped to MacOSXHints as follows: “The computer system of Claim 14, wherein each of said set of items include a common characteristic” [MacOSXHints, page 2, paragraphs 6 and 8].

27. **Claim 16** can be mapped to MacOSXHints as follows: “The computer system of Claim 15, wherein said common characteristic is selected from a list including: document file, image file, audio file, and video file” [MacOSXHints, page 2, paragraphs 6 and 8].

28. **Claim 17** can be mapped to MacOSXHints as follows: “The computer system of Claim 12, wherein said one or more of said set of items are associated with an item decoration view that conflicts with said shell decoration view” [MacOSXHints, pages 2-3, paragraphs 6, 8, and 10-14].

29. **Claim 18** can be mapped to MacOSXHints as follows: “The computer system of Claim 12, wherein said shell is further configured to present one or more of said set of items with decorative elements associated with an item decoration view and wherein

said decorative elements do not conflict with said shell decoration view" [MacOSXHints, pages 2-3, paragraphs 6, 8, and 10-14].

30. **Claim 30** can be mapped to MacOSXHints as follows: "A computer implemented method for presenting a plurality of items stored in a universal data store to a user, [MacOSXHints, page 1, paragraph 3 with MacOSXHints, page 2, paragraphs 6 and 8] the method comprising:

- accessing said universal data store in response to a request to present one or more of said plurality of items to the user, [MacOSXHints, pages 2-3, paragraphs 6, 8, and 10-14] wherein said plurality of items are stored in accordance with a universal data schema, [MacOSXHints, page 1, paragraph 3 with MacOSXHints, page 2, paragraphs 6 and 8] and wherein at least a portion of said plurality of items contain metadata stored in accordance with an item decoration schema; [MacOSXHints, page 2, paragraphs 6 and 8] and
- presenting said one or more requested items to the user, [MacOSXHints, page 1, paragraph 1] wherein a requested item with said corresponding metadata is presented with an item decoration view [MacOSXHints, page 2, paragraph 8 with MacOSXHints, pages 2-3, paragraphs 10 and 12] and wherein a requested item without said corresponding metadata is presented in accordance with a default display view" [MacOSXHints, page 2, paragraph 8 with MacOSXHints, pages 2-3, paragraphs 10 and 12].

31. **Claim 31** can be mapped to MacOSXHints as follows: "The method of Claim 30, wherein said metadata includes data indicating one or more decorative aspects

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associated with presentment of said metadata to a user" [MacOSXHints, page 2, paragraphs 6 and 8].

32. **Claim 32** can be mapped to MacOSXHints as follows: "The method of Claim 31, wherein presenting a requested item with said corresponding metadata includes presenting said metadata according to one or more of said decorative aspects" [MacOSXHints, pages 2-3, paragraphs 6, 8, and 10-14].

33. **Claim 33** can be mapped to MacOSXHints as follows: "The method of Claim 31, wherein said method further comprises presenting a set of items according to a shell decoration view, wherein said set of items includes one or more items having metadata stored in accordance with a first item decoration schema and further includes one or more items having metadata stored in accordance with a second item decoration schema" [MacOSXHints, pages 2-3, paragraphs 6, 8, and 10-14].

34. **Claim 34** can be mapped to MacOSXHints as follows: "The method of Claim 33, wherein said shell decoration view includes one or more display aspects appropriate for displaying each of said set of items to a user" [MacOSXHints, page 2, paragraphs 6 and 8].

35. **Claim 35** can be mapped to MacOSXHints as follows: "The method of Claim 33, wherein presenting said set of items according to a shell decoration view includes presenting an items having an item decoration schema which conflicts with said shell decoration view according to said shell decoration view" [MacOSXHints, pages 2-3, paragraphs 6, 8, and 10-14].

36. **Claim 41** can be mapped to MacOSXHints as follows: "A shell for presenting a plurality of items stored in a universal data store to a user, [MacOSXHints, page 1, paragraph 3] the shell comprising:

- a data store interaction component which retrieves data associated with one or more of said plurality of items from the universal data store in response to a request to present the one or more items to the user, [MacOSXHints, pages 2-3, paragraphs 6, 8, and 10-14] wherein said data is stored in accordance with a universal data schema, [MacOSXHints, page 1, paragraph 3 with MacOSXHints, page 2, paragraphs 6 and 8] and wherein at least a portion of said plurality of items include corresponding metadata which is stored in accordance with an item decoration schema; [MacOSXHints, page 2, paragraphs 6 and 8] and
- a display presentation component which utilizes said retrieved data to present a display view of said one or more requested items, [MacOSXHints, page 1, paragraph 1] wherein said display presentation component is configured to present a requested item with said corresponding metadata with an item decoration view [MacOSXHints, page 2, paragraph 8 with MacOSXHints, pages 2-3, paragraphs 10 and 12] and further configured to present a requested items without said corresponding metadata in accordance with a default display view" [MacOSXHints, page 2, paragraph 8 with MacOSXHints, pages 2-3, paragraphs 10 and 12].

37. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

38. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

39. Claims 19-23, 25-29, 36, 37, 39, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacOSXHints (<http://www.macosexhints.com/article.php?story=20030305025744788>) in view of U.S. Patent No. 5,937,406 (Balabine et al.).

40. For Claim 19, MacOSXHints teaches: "The computer system of Claim 1."

MacOSXHints discloses the above limitations but does not expressly teach: "...wherein said shell is further configured to present items selected from said plurality of items according to an explorer display view."

With respect to Claim 19, an analogous art, Balabine, teaches: "...wherein said shell is further configured to present items selected from said plurality of items according to an explorer display view" [Balabine, Figs. 5A-5C].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Balabine with MacOSXHints because both inventions are directed towards storing and viewing files on file systems.

Balabine's invention would have been expected to successfully work well with MacOSXHints's invention because both inventions use file systems on computers. MacOSXHints discloses Mac OS X's handling of metadata display information comprising a .DS_Store file, windows, icons, and display properties, however MacOSXHints does not expressly disclose an explorer display view. Balabine discloses a file system interface to a database comprising an explorer display view.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the explorer display view from Balabine and install it into the computer system of MacOSXHints, thereby offering the obvious advantage of offering the user a choice in display view interfaces.

41. **Claim 20** can be mapped to MacOSXHints (as modified by Balabine) as follows: "The computer system of Claim 19, wherein said explorer display view includes one or more decorative properties" [MacOSXHints, page 2, paragraph 6 with MacOSXHints, page 3, paragraphs 11-13 with Balabine, Figs. 5A-5C].

42. **Claim 21** can be mapped to MacOSXHints (as modified by Balabine) as follows: "The computer system of Claim 19, wherein said explorer display view includes one or

more shell display views, and wherein one of said shell display views is utilized to display a set of explorer items" [MacOSXHints, page 2, paragraph 6 with MacOSXHints, page 3, paragraphs 11-13 with Balabine, Figs. 5A-5C].

43. **Claim 22** can be mapped to MacOSXHints (as modified by Balabine) as follows:

"The computer system of Claim 21, wherein said shell display view includes one or more display aspects appropriate for displaying each of said set of explorer items to a user" [MacOSXHints, page 2, paragraphs 6 and 8].

44. **Claim 23** can be mapped to MacOSXHints (as modified by Balabine) as follows:

"The computer system of Claim 22, wherein each of said set of explorer items include a common characteristic" [MacOSXHints, page 2, paragraphs 6 and 8].

45. **Claim 25** can be mapped to MacOSXHints (as modified by Balabine) as follows:

"The computer system of Claim 21, wherein said explorer display view is configured to display an explorer item which is not associated with a shell display view according to an item decoration view" [MacOSXHints, page 2, paragraphs 6 and 8 with MacOSXHints, page 3, paragraphs 11-13 with Balabine, Figs. 5A-5C].

46. **Claim 26** can be mapped to MacOSXHints (as modified by Balabine) as follows:

"The computer system of Claim 21, wherein said explorer display view is configured to display an explorer item which is not associated with an item decoration view according to said default display view" [MacOSXHints, page 2, paragraphs 6 and 8 with MacOSXHints, page 3, paragraphs 11-13 with Balabine, Figs. 5A-5C].

47. **Claim 27** can be mapped to MacOSXHints (as modified by Balabine) as follows:

"The computer system of Claim 19, wherein said explorer display view includes one or

more data queries associated with said explorer display view" [Balabine, col. 5, lines 25-30].

48. **Claim 28** can be mapped to MacOSXHints (as modified by Balabine) as follows:

"The computer system of Claim 19, wherein said explorer display view includes one or more verbs, said verbs being associated with an operation to be performed on a selected explorer item" [MacOSXHints, page 2, paragraph 6 with MacOSXHints page 3, paragraphs 12-14].

49. **Claim 29** can be mapped to MacOSXHints (as modified by Balabine) as follows:

"The computer system of Claim 28, wherein said operation is performed by an application launched to perform said task with respect to said selected explorer item" [MacOSXHints, page 2, paragraphs 6 and 8 with MacOSXHints page 3, paragraphs 12-14].

50. For **Claim 36**, MacOSXHints teaches: "The method of Claim 30."

MacOSXHints discloses the above limitations but does not expressly teach: "...wherein said method further comprises presenting items according to an explorer display view."

51. With respect to Claim 36, an analogous art, Balabine, teaches: "...wherein said method further comprises presenting items according to an explorer display view" [Balabine, Figs. 5A-5C].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Balabine with MacOSXHints because both inventions are directed towards storing and viewing files on file systems.

Balabine's invention would have been expected to successfully work well with MacOSXHints's invention because both inventions use file systems on computers. MacOSXHints discloses Mac OS X's handling of metadata display information comprising a .DS_Store file, windows, icons, and display properties, however MacOSXHints does not expressly disclose an explorer display view. Balabine discloses a file system interface to a database comprising an explorer display view.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the explorer display view from Balabine and install it into the computer system of MacOSXHints, thereby offering the obvious advantage of offering the user a choice in display view interfaces.

52. **Claim 37** can be mapped to MacOSXHints (as modified by Balabine) as follows:

"The method of Claim 36, wherein said explorer display view includes one or more decorative properties [MacOSXHints, page 2, paragraph 6 with MacOSXHints, page 3, paragraphs 11-13 with Balabine, Figs. 5A-5C] and one or more shell display views, and wherein one or more of said shell display views are utilized to display a set of explorer items" [MacOSXHints, page 2, paragraph 6 with MacOSXHints, page 3, paragraphs 11-13 with Balabine, Figs. 5A-5C].

53. **Claim 39** can be mapped to MacOSXHints (as modified by Balabine) as follows:

"The method of Claim 37, wherein an item which cannot be displayed according to a shell display view is presented according to an item decoration view" [MacOSXHints, pages 2-3, paragraphs 6, 8, and 10-14].

54. **Claim 40** can be mapped to MacOSXHints (as modified by Balabine) as follows:

"The method of Claim 36, wherein said explorer display view includes one or more verbs, said verbs being associated with an operation to be performed on a selected explorer item" [MacOSXHints, page 2, paragraph 6 with MacOSXHints page 3, paragraphs 12-14].

55. Claims 24 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacOSXHints

(<http://www.macosxhints.com/article.php?story=20030305025744788>) in view of U.S.

Patent No. 5,937,406 (Balabine et al.), further in view of MacOSXHints2

(<http://www.macosxhints.com/article.php?story=20030409015020645>).

56. For **Claim 24**, MacOSXHints (as modified by Balabine) teaches: "The computer system of Claim 21."

MacOSXHints (as modified by Balabine) discloses the above limitations but does not expressly teach: "...wherein said explorer display view is configured to utilize a shell display view not included with an explorer to display an item which cannot be displayed according to said one or more shell display views included with said explorer display view."

With respect to Claim 24, an analogous art, MacOSXHints2, teaches: "...wherein said explorer display view is configured to utilize a shell display view not included with an explorer to display an item which cannot be displayed according to said one or more

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shell display views included with said explorer display view" [MacOSXHints2, page 1 with MacOSXHints, page 1, paragraph 3].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine MacOSXHints2 with MacOSXHints (as modified by Balabine) because both inventions are directed towards storing and viewing files on file systems.

MacOSXHints2's invention would have been expected to successfully work well with MacOSXHints (as modified by Balabine)'s invention because both inventions use file systems on computers. MacOSXHints (as modified by Balabine) discloses Mac OS X's handling of metadata display information comprising a .DS_Store file, windows, icons, and display properties, however MacOSXHints (as modified by Balabine) does not expressly disclose an explorer display view. MacOSXHints2 discloses changing the finder preference of viewing invisible files comprising a script.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the explorer display view from MacOSXHints2 and install it into the computer system of MacOSXHints (as modified by Balabine), thereby offering the obvious advantage of offering the user a choice in display view interfaces.

57. For **Claim 38**, MacOSXHints (as modified by Balabine) teaches: "The method of Claim 37."

MacOSXHints (as modified by Balabine) discloses the above limitations but does not expressly teach: "...wherein an item which cannot be displayed according to said one or more shell display views included with said explorer display view is presented according to a shell display view not included with said explorer display view."

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With respect to Claim 38, an analogous art, MacOSXHints2, teaches: "...wherein an item which cannot be displayed according to said one or more shell display views included with said explorer display view is presented according to a shell display view not included with said explorer display view" [MacOSXHints2, page 1 with MacOSXHints, page 1, paragraph 3].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine MacOSXHints2 with MacOSXHints (as modified by Balabine) because both inventions are directed towards storing and viewing files on file systems.

MacOSXHints2's invention would have been expected to successfully work well with MacOSXHints (as modified by Balabine)'s invention because both inventions use file systems on computers. MacOSXHints (as modified by Balabine) discloses Mac OS X's handling of metadata display information comprising a .DS_Store file, windows, icons, and display properties, however MacOSXHints (as modified by Balabine) does not expressly disclose an explorer display view. MacOSXHints2 discloses changing the finder preference of viewing invisible files comprising a script.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the explorer display view from MacOSXHints2 and install it into the computer system of MacOSXHints (as modified by Balabine), thereby offering the obvious advantage of offering the user a choice in display view interfaces.

Conclusion

58. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is advised that, although not used in the rejections above, prior art cited on the PTO-892 form and not relied upon is considered materially relevant to the applicant's claimed invention and/or portions of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent S. Stace whose telephone number is 571-272-8372 and fax number is 571-273-8372. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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